

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2125–S2230

Measures Introduced: Twenty-five bills and five resolutions were introduced, as follows: S. 339–363, S. Res. 51–54, and S. Con. Res. 4. **Pages S2187–88**

Measures Reported:

Report to accompany S. 151, to amend title 18, United States Code, with respect to the sexual exploitation of children. (S. Rept. No. 108–2)

S. 111, to direct the Secretary of the Interior to conduct a special resource study to determine the national significance of the Miami Circle site in the State of Florida as well as the suitability and feasibility of its inclusion in the National Park System as part of Biscayne National Park, with an amendment in the nature of a substitute. (S. Rept. No. 108–4)

S. 117, to authorize the Secretary of Agriculture to sell or exchange certain land in the State of Florida. (S. Rept. No. 108–5)

S. 144, to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land, with an amendment in the nature of a substitute. (S. Rept. No. 108–6)

S. 210, to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico. (S. Rept. No. 108–7)

S. 214, to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark, with an amendment in the nature of a substitute. (S. Rept. No. 108–8)

S. 233, to direct the Secretary of the Interior to conduct a study of Coltsville in the State of Connecticut for potential inclusion in the National Park System. (S. Rept. No. 108–9)

S. 254, to revise the boundary of the Kaloko-Honokohau National Historical Park in the State of Hawaii. (S. Rept. No. 108–10)

S. Res. 53, authorizing expenditures by the Committee on Veterans' Affairs. **Pages S2186–87**

Nomination Considered: Senate continued consideration of the nomination of Miguel A. Estrada, of

Virginia, to be United States Circuit Judge for the District of Columbia Circuit. **Pages S2125–72**

A unanimous-consent agreement was reached providing for further consideration of the nomination at 9:30 a.m., on Wednesday, February 12, 2003. **Page S2228**

Discharged and Referred—Agreement: A unanimous-consent agreement was reached providing that S. 277, to authorize the Secretary of the Interior to construct an education and administrative center at the Bear River Migratory Bird Refuge in Box Elder County, Utah, be discharged from the Committee on Energy and Natural Resources and referred to the Committee on Environment and Public Works. **Page S2227**

Discharged and Referred—Agreement: A unanimous-consent agreement was reached providing that S. Res. 51, authorizing expenditures by the Committee on Governmental Affairs, be discharged from the Committee on Governmental Affairs and referred to the Committee on Rules and Administration. **Page S2227**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Amendments to 1987 Treaty on Fisheries with Pacific Island States, (Treaty Doc. No. 108–2).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Pages S2227–28**

Nominations Received: Senate received the following nominations:

Jeffrey Shane, of the District of Columbia, to be Under Secretary of Transportation for Policy. (New Position)

Lino Gutierrez, of Florida, to be Ambassador to Argentina.

Reno L. Harnish, of California, to be Ambassador to the Republic of Azerbaijan.

Jeffrey Lunstead, of the District of Columbia, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without

additional compensation as Ambassador to the Republic of Maldives.

John W. Snow, of Virginia, to be United States Governor of the International Monetary Fund for a term of five years; United States Governor of the International Bank for Reconstruction and Development for a term of five years; United States Governor of the Inter-American Development Bank for a term of five years; United States Governor of the African Development Bank for a term of five years; United States Governor of the Asian Development Bank; United States Governor of the African Development Fund; United States Governor of the European Bank for Reconstruction and Development.

Gregory A. White, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

2 Air Force nominations in the rank of general.

Routine lists in the Air Force, Army, Marine Corps.

Pages S2228–30

Nominations Withdrawn: Senate received notification of withdrawal of the following Nominations:

Jeffrey Shane, of the District of Columbia, to be Associate Deputy Secretary of Transportation, which was sent to the Senate on January 9, 2003.

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Messages From the House:

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Measures Referred:

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Authority for Committees to Meet:

Pages S2226–27

Privilege of the Floor:

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Adjournment: Senate met at 9:30 a.m., and adjourned at 8:10 p.m., until 9:30 a.m., on Wednesday, February 12, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2228.)

Committee Meetings

(Committees not listed did not meet)

MONETARY POLICY REPORT

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine the semi-annual Monetary Policy Report of the Federal Reserve and the economic outlook, after receiving testi-

mony from Alan Greenspan, Chairman, Board of Governors of the Federal Reserve System.

NOMINATION

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of William H. Donaldson, of New York, to be a Member of the Securities and Exchange Commission.

2004 BUDGET

Committee on the Budget: Committee concluded hearings to examine the President's International Affairs Budget for Fiscal Year 2004, after receiving testimony from Colin L. Powell, Secretary of State.

FAA AUTHORIZATION

Committee on Commerce, Science, and Transportation: Committee concluded hearings on proposed legislation authorizing funds for the Federal Aviation Administration and the economic condition of the airline industry, after receiving testimony from Marion C. Blakey, Administrator, Federal Aviation Administration, and Kenneth M. Mead, Inspector General, both of the Department of Transportation.

2004 BUDGET: DEPARTMENT OF THE INTERIOR

Committee on Energy and Natural Resources: Committee concluded hearings to examine the President's proposed budget request for fiscal year 2004 for the Department of the Interior, after receiving testimony from Gale A. Norton, Secretary of the Interior.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded hearings to examine the nomination of Joseph Timothy Kelliher, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission, after the nominee testified and answered questions in his own behalf.

ECONOMIC GROWTH AND JOB CREATION

Committee on Finance: Committee held hearings to examine proposals for economic growth and job creation, focusing on incentives for consumption and investment, receiving testimony from Oklahoma State Senator Angela Monson, Oklahoma City, on behalf of the National Conference of State Legislatures; and Chris R. Edwards, Cato Institute, Stephen J. Entin, Institute for Research on the Economics of Taxation, and Peter R. Orszag, Brookings Institution, all of Washington, D.C.

Hearings recessed subject to call.

FUTURE OF POSTCONFLICT IRAQ

Committee on Foreign Relations: Committee concluded hearings to examine the state of security in a post-

conflict situation in Iraq, after receiving testimony from Marc I. Grossman, Under Secretary for Political Affairs, Department of State; Douglas J. Feith, Under Secretary for Policy, Department of Defense; Anthony H. Cordesman, Center for Strategic and International Studies, and Anthony Zinni, former Commander in Chief of United States Central Command, both of Washington, D.C.; and Scott R. Feil, Arlington, Virginia.

PATIENT HEALTH CARE ACCESS

Committee on Health, Education, Labor, and Pensions: Committee concluded joint hearings with the Committee on the Judiciary to examine the status of patient access to quality health care, focusing on the role of medical litigation and malpractice reform, after receiving testimony from Jose Montemayor, Texas Commissioner of Insurance, Austin; Shelby L. Wilbourn, Belfast, Maine, on behalf of the American College of Obstetricians and Gynecologists; Lawrence E. Smarr, Physician Insurers Association of America, Rockville, Maryland; Jay Angoff, Roger G. Brown and Associates, Jefferson City, Missouri; Laurie Peel, Raleigh, North Carolina; Linda McDougal, Woodville, Wisconsin; and Leanne Dyess, Vicksburg, Mississippi.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported an original resolution (S. Res. 53) authorizing expenditures by the Committee, and adopted its rules of procedure for the 108th Congress.

NATIONAL SECURITY THREATS

Select Committee on Intelligence: Committee concluded hearings to examine the current and projected national security threats to the United States, after receiving testimony from George Tenet, Director of Central Intelligence, Central Intelligence Agency; Robert S. Mueller III, Director, Federal Bureau of Investigation, Department of Justice; Vice Adm. Lowell E. Jacoby, USN, Director, Defense Intelligence Agency; and Carl Ford, Assistant Secretary of State for Intelligence and Research.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Hearings recessed subject to call.

ELDERLY GUARDIANSHIP

Special Committee on Aging: Committee concluded hearings to examine certain issues of guardianship over the elderly, focusing on alternative approaches, motives of petitioners in contested proceedings, guardian accountability and monitoring, after receiving testimony from Michael S. Kutzin, Goldfarb and Abrandt, and Jane M. Pollack, both of New York, New York; Penelope A. Hommell, Center for Social Gerontology, Ann Arbor, Michigan; Robin Warjone, Seattle, Washington; Diane G. Armstrong, Santa Barbara, California; Robert L. Aldridge, Boise, Idaho; and A. Frank Johns, Greensboro, North Carolina.

House of Representatives

Chamber Action

Measures Introduced: 53 public bills, H.R. 657–709; 3 private bills, H.R. 710–712; and 8 resolutions, H. Con. Res. 32–33, and H. Res. 61–66, were introduced. **Pages H389–92**

Additional Cosponsors: **Pages H392–93**

Reports Filed: Reports were filed today as follows:

H.R. 395, to authorize the Federal Trade Commission to collect fees for the implementation and enforcement of a “do-not-call” registry (H. Rept. 108–8). **Page H389**

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Ballenger to act as Speaker pro tempore for today. **Page H329**

Recess: The House recessed at 12:52 p.m. and reconvened at 2 p.m. **Page H331**

Presidential Message: Message wherein he transmitted the Economic Report of the President and the 2003 Annual Report of the Council of Economic Advisers—referred to the Joint Economic Committee and ordered printed H. Doc. 108–2. **Page H334**

Condemning Libya’s Selection to Chair Commission on Human Rights: H. Con. Res. 27, condemning the selection of Libya to chair the United Nations Commission on Human Rights (agreed to by a ye-a-and-nay vote of 402 yeas to 2 nays with 8 voting “present,” Roll No. 20); **Pages H334–39, H361–62**

Honoring Czech Republic President Vaclav Havel: H. Con. Res. 22, honoring Czech Republic President Vaclav Havel (agreed to by a ye-a-and-nay vote of 415 yeas with none voting “nay,” Roll No. 21); **Pages H339–43, H362**

Commending Israel for its Free and Fair Elections: H. Res. 61, commending the people of Israel for conducting free and fair elections, reaffirming the friendship between the Governments and peoples of the United States and Israel (agreed to by a ye-a-and-nay vote of 411 yeas to 2 nays with 3 voting “present,” Roll No. 22); **Pages H343–45, H363**

Extension of Hydro-Electric Licenses in Alaska: H.R. 337, to extend certain hydro-electric licenses in the State of Alaska; **Pages H345–46**

Extension of Hydro-Electric License in Illinois: H.R. 397, to reinstate and extend the deadline for commencement of construction of a hydroelectric project in the State of Illinois; **Page H346**

Commemorating the 92nd Birthday of Former President Ronald Reagan: H.J. Res. 19, recognizing the 92d birthday of Ronald Reagan (agreed to by a ye-a-and-nay vote of 406 yeas with 11 voting “present,” Roll No. 23); **Pages H346–50, H363–64**

Congratulating the University of Portland Pilots Women’s Soccer Team: H. Res. 41, congratulating the University of Portland women’s soccer team for winning the 2002 NCAA Division I national championship; and **Pages H350–54**

Subsidy Rate for Small Business Loans: S. 141, to improve the calculation of the Federal subsidy rate with respect to certain small business loans—clearing the measure for the President. **Pages H354–56**

Consideration of Do-Not-Call Implementation Act: Agreed that it be in order at any time without intervention of any point of order to consider in the House H.R. 395, to authorize the Federal Trade Commission to collect fees for the implementation and enforcement of a “do-not-call” registry, that the bill be considered as read for amendment; that it be debatable for one hour equally divided and controlled by the Chairman and ranking minority member of the Committee on Energy and Commerce; and that the previous question be considered as ordered on the bill to final passage without intervening motion. **Page H350**

Recess: the House recessed at 5:12 p.m. and reconvened at 6:30 p.m. **Page H361**

Permanent Select Committee on Intelligence Membership: The Chair announced the Speaker’s appointment of Representatives Gallegly and Collins to the Permanent Select Committee on Intelligence. **Page H361**

Committee Election—Majority Members: The House agreed to H. Res. 63, electing the following members to the following standing committees of the House of Representatives:

Budget: Representative Shays to rank after Chairman Nussle and Representative Brown-Waite to rank after Representative Hensarling; **Page H364**

Education and the Workforce: Representative Gingrey;

Science: Representative Gilchrest to rank after Representative Biggert and Representative Feeney to rank after Representative Bonner; **Page H364**

Small Business: Representative Chocola; and **Page H364**

Standards of Official Conduct: Representatives Hastings of Washington, Biggert, Hulshof, and LaTourette.

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Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of the House today and appear on pages H361–62, H362, H363, H363–64. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 9:36 p.m.

Committee Meetings

COMMITTEE ORGANIZATION; OVERSIGHT REPORT

Committee on Appropriations: Met for organizational purposes.

The Committee approved and Oversight Plan for the 108th Congress.

COMMITTEE ORGANIZATION; OVERSIGHT REPORT

Committee on International Relations: Met for organizational purposes.

The Committee approved an Oversight Plan for the 108th Congress.

DEPARTMENT OF VETERANS AFFAIRS—BUDGET REQUEST

Committee on Veterans' Affairs: Held a hearing on the Department of Veterans Affairs Budget request for Fiscal Year 2004. Testimony was heard from the following officials of the Department of Veterans Affairs: Anthony J. Principi, Secretary; and Robert H. Rosell, M.D., Under Secretary, Health; and representatives of veterans' organizations.

Joint Meetings

OMNIBUS APPROPRIATIONS

Conferees on Monday, February 10, met to resolve the differences between the Senate and House passed versions of H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, but did not complete action thereon, and recessed subject to call.

COMMITTEE MEETINGS FOR WEDNESDAY, FEBRUARY 12, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the current and future worldwide threats to the national security of the United States; to be followed by a closed meeting to be held in SH–219, 9:30 a.m., SH–216.

Committee on Commerce, Science, and Transportation: to hold joint hearings with the House Committee on Science

Subcommittee on Space and Aeronautics to examine the recent space shuttle *Columbia* accident, 9:30 a.m., SR–325.

Subcommittee on Oceans, Atmosphere, and Fisheries, to hold hearings to examine Coast Guard transition to Homeland Security, 2:30 p.m., SR–253.

Committee on Environment and Public Works: business meeting to markup S.195, to amend the Solid Waste Disposal Act to bring underground storage tanks into compliance with subtitle I of that Act, to promote clean-up of leaking underground storage tanks, to provide sufficient resources for such compliance and cleanup, and an original resolution authorizing expenditures by the committee, 9:30 a.m., SD–406.

Committee on Finance: to continue hearings to examine proposals for economic growth and job creation, focusing on incentives for consumption; to be followed by hearings to examine the nominations of Joseph Robert Goeke, of Illinois, to be a Judge of the United States Tax Court, Glen L. Bower, of Illinois, to be a Judge of the United States Tax Court, Daniel Pearson, of Minnesota, to be a Member of the United States International Trade Commission, Charlotte A. Lane, of West Virginia, to be a Member of the United States International Trade Commission, and Raymond T. Wagner, Jr., of Missouri, to be a Member of the Internal Revenue Service Oversight Board for the remainder of the term expiring September 14, 2004, 9:30 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the reconstruction of Afghanistan, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider committee's rules of procedure for the 108th Congress, subcommittee assignments, S. 239, to amend the Public Health Services Act to add requirements regarding trauma care, proposed legislation entitled "Keeping Children and Families Safe Act of 2003", proposed legislation concerning NIH Foundation, proposed legislation concerning birth defects, and proposed legislation entitled "Animal Drug User Fee Act", 10 a.m., SD–430.

Committee on Indian Affairs: to hold hearings to examine the nomination Ross O. Swimmer, to be Special Trustee—American Indians, Department of the Interior, 10 a.m., SR–485.

Committee on the Judiciary: to hold hearings to examine the nominations of Timothy M. Tymkovich, of Colorado, to be United States Circuit Judge for the Tenth Circuit, J. Daniel Breen, to be United States District Judge for the Western District of Tennessee, William H. Steele, to be United States District Judge for the Southern District of Alabama, Thomas A. Varlan, to be United States District Judge for the Eastern District of Tennessee, Timothy C. Stanceu, of Virginia, to be a Judge of the United States Court of International Trade, and Marian Blank Horn, of Maryland, to be a Judge of the United States Court of Federal Claims, 9:30 a.m., SD–226.

House

Committee on Agriculture, to meet for organizational purposes, and to consider an Oversight Plan for the 108th Congress, 1 p.m., 1300 Longworth.

Committee on Armed Services, hearing on the fiscal year 2004 National Defense Authorization budget request, 10 a.m., 2118 Rayburn.

Committee on the Budget, hearing on the Department of Transportation Budget Priorities Fiscal Year 2004, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, hearing on "Back to Work: the Administration's Plan for Economic Recovery and the Workforce Investment Act," 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, hearing entitled "A Review of the Administration's Fiscal Year 2004 Health Care Priorities," followed by consideration of the following: further organizational business; an Oversight Plan for the 108th Congress; and H.R. 663, Patient Safety and Quality Improvement Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing on monetary policy and the state of the economy, 10 a.m., 2128 Rayburn.

Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled "Recovery and Renewal: Protecting the Capital Markets Against Terrorism Post 9/11," 3 p.m., 2128 Rayburn.

Committee on International Relations, hearing on the President's International Affairs Budget request for Fiscal Year 2004, 10 a.m., 2172 Rayburn.

Subcommittee on Africa, hearing on Prospects for Peace in Ivory Coast, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, to meet for organizational purposes; to consider the following: an Oversight Plan for

the 108th Congress; and to mark up H.R. 534, Human Cloning Prohibition Act of 2003, 10:15 a.m., 2141 Rayburn.

Committee on Resources, to meet for organizational purposes, 3 p.m., 1324 Longworth.

Committee on Rules, to consider the following: H.R. 4, Personal Responsibility, Work, and Family Promotion Act of 2003; an Oversight Plan for the 108th Congress; and the Committee Budget Request for 108th Congress, 3 p.m., H-313 Capitol.

Committee on Transportation and Infrastructure, to meet for organizational purposes and to consider an Oversight Plan for the 108th Congress, 11 a.m., 2167 Rayburn.

Subcommittee on Aviation, hearing on reauthorization of the FAA and the Aviation Programs: Introduction, 2 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, to meet for organizational purposes, 10:30 a.m., 1129 Longworth.

Subcommittee on Social Security, to meet for organizational purposes, 10 a.m., B-318 Rayburn.

Joint Meetings

Joint Meetings: Senate Committee on Commerce, Science, and Transportation, to hold joint hearings with the House Committee on Science Subcommittee on Space and Aeronautics to examine the recent space shuttle *Columbia* accident, 9:30 a.m., SR-325.

Next Meeting of the SENATE

9:30 a.m., Wednesday, February 12

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, February 12

House Chamber

Program for Wednesday: Consideration of 2 suspensions:

- (1) H.R. 346, American Spirit Fraud Prevention Act,
- (2) H. Res. 62, Recognizing the courage and sacrifice of United States Armed Forces held as POWs during the Vietnam conflict and calling for a full accounting of all MIAs and

Consideration of H.R. 395, Do-Not-Call Implementation Act (Unanimous Consents, 1 Hour of Debate).

Extensions of Remarks, as inserted in this issue

HOUSE

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Congressional Record

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